IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 6922 of 2005

Between:

Alwarsetty Uma

..... PETITIONER

AND

The Commissioner, Endowments Dept.,

Andhra Pradesh, Hyderabad and 3 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents 2 and 3 in not taking any action on petitioner's representation dated 18.01.2005 for transferring the lease period of the shop No.16-108-B, T.V.S.Choultry, Trunk Road, Nellore in favour of the petitioner, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Endowments.

It is stated that the 3rd respondent has granted lease of shop No.16-108-B, situated at T.V.S.Choultry, Trunk Road, Nellore in favour of the 4th respondent and the 4th respondent, in turn leased out the said shop in favour of the petitioner, and the petitioner has been running a photo studio in the said shop, and she herself has been paying lease amount to the 4th respondent and the 4th respondent in turn depositing the said amount in favour of the 3rd respondent. In this connection, as the petitioner is in possession of the said shop, she made a representation on 18.01.2005 before the 3rd respondent, requesting to transfer the lease in her favour. It is stated that the said representation has not yet been disposed of.

Having regard to the facts and circumstances of the case, I am not inclined to express any opinion as to whether the said lease granted in favour of the 4th respondent is transferable or not. But, however, as the representation of the petitioner is pending with the 3rd respondent, I deem it appropriate to dispose of the writ petition, with a direction to the 3rd respondent to consider and dispose of the representation of the petitioner dated 18.01.2005, if not already disposed of, in accordance with law, after giving a reasonable opportunity to the petitioner as well as to the 4th respondent, within a period of 8 (eight) weeks from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

V.ESWARAIAH,J

Dated: 29.11.2005

Dsr